



**U S Army Corps
of Engineers**
Huntington District
Pittsburgh District
Buffalo District

Public Notice

SPECIAL NOTICE: Draft Guidelines for Stream Mitigation Banking and In-Lieu Fee Programs in Ohio

Issuance Date: 29 April 2014

Closing Date: 29 May 2014

All written comments should the Draft Guidelines for Stream Mitigation Banking and In-Lieu Fee Programs in Ohio and be addressed to:

U.S. Army Corps of Engineers, Huntington District

CELRH-RD-E Attn: Sheila Newman

4969 Dillon Dam Road

Zanesville, Ohio 43701

Phone: (740) 454-2225 ext. 5

The purpose of this public notice is to solicit comments from the public regarding the attached Draft Guidelines for Stream Mitigation Banking and In-Lieu Fee Programs in Ohio (Guidelines).

The Buffalo, Huntington and Pittsburgh Districts of the United States Army Corps of Engineers have worked closely with the U.S. Environmental Protection Agency Region V, the U.S. Fish and Wildlife Service, the U.S. Department of Agriculture-Natural Resources Conservation Service, the Ohio Environmental Protection Agency, and the Ohio Department of Natural Resources to develop the attached Guidelines. The objectives of these Guidelines are to increase the likelihood for ecological success and sustainability of aquatic resources developed by mitigation banks and in-lieu fee mitigation programs (ILFPs). The Inter Agency Review Team (IRT) comprised of the agencies listed above encourages sponsors to follow these Guidelines to achieve successful mitigation projects.

These Guidelines are intended to apply to offsite compensatory mitigation projects involving streams developed at mitigation banks and ILFP mitigation project sites. Portions of the Guidelines may be useful in the development of permittee responsible mitigation sites. The Guidelines do not alter or replace any current regulations or regulatory requirements. They do not alter in any way the mitigation sequence specified in the 2008 Mitigation Rule or in the Clean Water Act Section 404(b)(1) Guidelines (40 CFR part 230). The Corps does not consider compensatory mitigation until impacts to waters of the U.S. (including wetlands) have been first avoided and then minimized to the extent practicable. These Guidelines are intended as a living document which may be modified by the Corps and the IRT based on public feedback and/or technical concerns which may arise in the future.

COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION: Comments or questions pertaining to the Guidelines should be directed to the attention of Sheila Newman, who can be contacted at the above address, by calling (740) 454-2225 ext 5, or by email at Sheila.M.Newman@usace.army.mil. All written comments will be made part of the administrative record which is available to the public under the Freedom of Information Act. The administrative record, or portions thereof, may also be posted on a Corps internet website. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment. Copies of comments received will be forwarded to and reviewed by the members of the Interagency Review Team. This notice is promulgated in

accordance with Title 33, Code of Federal Regulations, parts 320-332. All comments must be submitted in writing and received no later than the expiration date of this notice.

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Attachment A:

Draft Guidelines for Stream Mitigation Banking and In-Lieu Fee Programs in Ohio (Guidelines)

Buffalo District Web site:

<http://www.lrb.usace.army.mil/Missions/Regulatory/ActionsandNotices/PublicNotices.aspx>

Huntington District Web site:

<http://www.lrh.usace.army.mil/Missions/Regulatory/PublicNotices.aspx>

Pittsburgh District Web site:

http://www.lrp.usace.army.mil/or/or-f/public_notice.htm

Individuals may also make arrangements to review the Guidelines at the following office locations:

Dillon Lake Field Office, 4969 Dillon Dam Road, Zanesville, Ohio 43701

POC: Sheila Newman, 740-454-2225 ext. 5, Sheila.M.Newman@usace.army.mil

Orwell Field Office, 33 Grand Valley Avenue, Orwell, Ohio 44076

POC: Mark Gronceski, 440-437-5847, Mark.E.Gronceski@usace.army.mil

Pittsburgh District Office, 1000 Liberty Avenue, Pittsburgh, PA 15222

POC: Nicole Marisavljevic, 412-395-7107, Nicole.Marisavljevic@usace.army.mil

Huntington District Office, 502 8th Street, Huntington, WV 25701

POC: Mark Taylor, 304-399-6903, Mark.A.Taylor@usace.army.mil